

SB 5502-S - DIGEST

(AS OF SENATE 2ND READING 3/09/05)

Declares that an offender is ineligible for the mental health disposition option under RCW 13.40.167 if: (1) The offense for which this disposition is being considered is an A+ offense;

(2) The offense for which this disposition is being considered is: (a) A class A or A- offense, or an attempt, conspiracy, or solicitation to commit a class A or A- offense; (b) manslaughter in the first degree (RCW 9A.32.060); or (c) any of the following offenses, when the offense includes infliction of bodily harm upon another or when during the commission or immediate withdrawal from the offense the respondent was armed with a deadly weapon: Assault in the second degree (RCW 9A.36.021), extortion in the first degree (RCW 9A.56.120), kidnapping in the second degree (RCW 9A.40.030), robbery in the second degree (RCW 9A.56.210), residential burglary (RCW 9A.52.025), burglary in the second degree (RCW 9A.52.030), drive-by shooting (RCW 9A.36.045), vehicular homicide (RCW 46.61.520), hit and run death (RCW 46.52.020(4)(a)), intimidating a witness (RCW 9A.72.110), violation of the uniform controlled substances act (RCW 69.50.401(2)(a) and (b)), or manslaughter 2 (RCW 9A.32.070);

(3) Ordered to serve a disposition for a firearm violation under RCW 13.40.193.